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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/503,362 | 02/14/2000 | Pekka J. Heinonen | 4925-34 | 6491 |
| 7590 | 11/04/2004 | | EXAMINER | |
| Michael C Stuart Esq Cohen Pontani Lieberman & Pavane 551 Fifth Avenue Suite 1210 New York, NY 10176 | | | SENFI, BEHROOZ M | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2613 | 10 |

DATE MAILED: 11/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) |
|------------------------------|------------------------|---------------------|
| | 09/503,362 | HEINONEN, PEKKA J. |
| Examiner | Art Unit | |
| Behrooz Senfi | 2613 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 04 August 2004.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-19 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) Claim(s) _____ is/are allowed.
6) Claim(s) 1-19 is/are rejected.
7) Claim(s) _____ is/are objected to.
8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ .

5) Notice of Informal Patent Application (PTO-152)

6) Other: ____ .

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see Brief, filed August 4, 2004, with respect to independent claims 1, 8, 14 and 15 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 – 2, 7 – 10 and 14 – 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Spaur et al (US 5,732,074).

Regarding claims 1 and 8, Spaur '074 discloses "a system for processing of data" (i.e. fig. 2) "to and from mobile terminal" (i.e. fig. 2, 80 – 84) comprising; "a data bus for receiving and transmitting data to a wireless communication network" (i.e. fig. 2, shows data buses for bi-directional wireless communication, air link), "an output device for presenting at least one of audio, video and texture information to a user" (i.e. fig. 2, 10(a)/60, which includes input and output devices with display screen), "an interface module connected to the data bus of the mobile terminal" (i.e. fig. 2, interface 30), "a protocol stack for processing data to and from the data bus of the mobile terminal" (i.e. fig. 2, TCP/IP stack 98, col. 3, lines 1 - 2), "the user agent for decoding data to and from

the protocol stack" (i.e. fig. 2, 50(a-n)), "a signal generator for converting the interpreted data from the user agent into signals formatted for processing by the output device so that the output device presents at least one of audio, video, and textual information to the user" (i.e. fig. 2, 10a/60, col. 9, lines 30 – 57) .

Regarding claim 2, the claimed limitation "a user input device, manipulable by the user, for inputting data to the user agent for transmission through the mobile terminal" reads on (figs. 2, 10a/60, col. 7, lines 25 – 40).

Regarding claims 7, 9 - 10, the claimed limitation "the output device is a monitor" reads on (i.e. col. 7, lines 30 – 31, display screen), and "receiving user input data by the user agent for transmission by the mobile terminal, claim 10" reads on (fig. 2, 50, cols. 10, lines 1 – 21, wherein the device 50(a-n) interact with the network/internet for requesting/transmitting the data).

Regarding claims 14 - 15, the limitations claimed are substantially similar to claims 1 and 8, therefore the ground for rejecting claim 1 also applies here. Furthermore, as for the additional limitation "mobile terminal comprising a screen" please see (i.e. fig. 1, display 16 of Braitberg et al (US 5,333,177) incorporated by the reference Spaur '074, col. 7, lines 65 - 66), and "interface module connected to the data bus of the mobile terminal and to the output device" reads on fig. 2, wherein the output device 10a/60 and the mobile terminal 80 - 84 and the interface 30 are being connected.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 3 - 6, 11 – 13 and 16 – 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spaur '074 as applied to claims 1 - 2 above, and further in view of Gershman et al. (US 6,401,085).

Regarding claims 3 and 11, the system of Spaur '074 (i.e. fig. 2) teaches, "bi-directional wireless communication for processing of data to and from mobile terminal" as discussed above, claim 1. Spaur '074 fails to explicitly teach "Wireless Application Protocol, WAP". However the above features are notoriously well-known and used in wireless/mobile communication systems/applications as evidenced by Gershman '085 (i.e. col. 2, lines 1 – 14). Therefore, taking the combined teaching of Spaur '074 and Gershman '085, it would have been obvious to one skilled in the art at the time of the invention was made to include and use "WAP" protocol, as one of the alternative in wireless/mobile communication systems. Doing so would allow carriers to do more over the air management and give manufacturers a standard way to put data capability into wireless phones.

Regarding claims 4 and 12, combination of Spaur '074 and Gershman '085 teach, "protocol stack includes the Short Message Transport Protocol" reads on (i.e. fig. 2, TCP/IP stack 98 of Spaur '074, wherein by definition of computer dictionary "TCP/IP,

the protocol stack on the internet incorporates more than 100 standards including FTP, SMTP/short message transport protocol, etc.”.

Regarding claims 5 and 13, combination of Spaur '074 and Gershman '085 teach, “the user agent is a web browser” (i.e. col. 12, lines 19 – 36 of Spaur).

Regarding claim 6, the claimed limitation “browser is configured to interpret data in accordance with one of the wireless Application Protocol and the Short Message Transport Protocol” are substantially similar in scope as recited in claims 3 and 4, therefore the grounds for rejecting claims 3 – 4, also apply here.

Regarding claim 16 – 19, combination of Spaur '074 and Gershman '085 teach, “television monitor” (i.e. fig. 17, television of Gershman).

6. Claim 1, 8 and 14 – 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Rakib (US 2002/0019984).

The limitations as claimed in the independent claims 1, 8 and 14 – 15 reads on Rakib '984 reference, “a system for processing of data” (i.e. figs. 1 and 9), “to and from mobile terminal” (i.e. fig. 1, 30 PDA remote), comprising; “a data bus for receiving and transmitting data to a wireless communication network” (i.e. fig. 1), “an output device for presenting at least one of audio, video and texture information to a user” (i.e. figs. 1 and 3), “an interface module connected to the data bus of the mobile terminal” (i.e. fig. 3, gateway 102), “a protocol stack for processing data to and from the data bus of the mobile terminal” (i.e. fig. 3 and fig. 9, 418) furthermore it is well known that the gateway 102 in fig. 3, must include different protocols/multiple protocol in order to communicate with different devices. “a user agent for decoding data to and from the protocol stack”

(i.e. fig. 3, 110), "a signal generator for converting the interpreted data from the user agent into signals formatted for processing by the output device so that the output device presents at least one of audio, video, and textual information to the user" (fig. 3, 110).

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Behrooz Senfi** whose telephone number is **(703)305-0132**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Chris Kelley** can be reached on **(703)305-4856**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or faxed to:

(703) 872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relative to the status of the application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

B. S. B. S.

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Art Unit: 2613

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10/27/2004


CHRIS KELLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600